

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:05cr392

UNITED STATES OF AMERICA

vs.

RUFO MIGUEL PEREZ-TAPIA

---

)  
)  
)  
)  
)  
)  
)

ORDER

**THIS MATTER** is before the Court upon motion of the defendant for a continuance of this matter from the April 3, 2006 trial term in the Charlotte Division. (Doc. No. 43).

In the motion, filed March 17, 2006, the defendant states he has not yet received discovery. The defendant was indicted on November 15, 2005, and waived personal appearance at arraignment on January 8, 2006. A standard discovery order was entered on January 13, 2006, obligating the government to notify the Court if its usual open-file policy would not be observed in this case. (Doc. No. 32). No such notice was filed. The Court requires additional information regarding efforts made by the parties to conduct discovery in this case during the three months since discovery was first ordered.

**IT IS, THEREFORE, ORDERED** that the defendant's motion is under advisement. On or before March 29, 2006, counsel for the defendant shall file a pleading with the Court stating what steps he has taken to review information in the government's files. Counsel for the government is likewise directed to file a pleading on or before March 29, 2006, stating what steps he as taken to provide information required by the discovery order.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, to the United States Attorney, the United States Marshals service, and the U.S. Probation office.

Signed: March 24, 2006

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
United States District Judge

